**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929**

**OP.No. 7140 of 2003(Y)**

**PETITIONER:**

1. **GOPALA KRISHNA PILLAI, THEKKUKATTIL VALANCHUZHI, PATHANAMTHITTA.**
2. **A.SURESH KUMAR, KUMARANILAYAM, KALLARAKADAVU, PATHANAMTHITTA**
3. **PURUSHOTHAMAN NAIR, KALLARATHUNDIL, KALLARAKADAVU, PATHANAMTHITTA.**

**BY ADV. SRI.K.JAJU BABU**
**SRI.SATHISH NINAN**

**RESPONDENTS:**

1. **STATE OF KERALA, REPRESENTED BY THE SECRETARY, LAND AND REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**
2. **DISTRICT COLLECTOR, PATHANAMTHITTA**
3. **THE DIRECTOR OF MINING AND GEOLOGY, THIRUVANANTHAPURAM.**
4. **THE DEPUTY CONTROLLER OF EXPLOSIVES, PAUL ABRO ROAD, NEAR NORTH RAILWAY, ERNAKULAM**
5. **THE KERALA POLLUTION CONTROL BOARD, REPRESENTED BYITS SECRETARY, THIRUVANANTHAPURAM**
6. **THE PATHANAMTHITTA MUNICIPALITY, REPRESENTED BY ITS SECRETARY, MUNICIPAL OFFICE, PATHANAMTHITTA.**
7. **THAHASILDAR, KOZHENCHERRY.**
8. **SHRI T.R.NARAYANAN NAIR, THONDALI HOUSE, VALANCHUZHY, PATHANAMTHITTA.**

**BY ADV. SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.**
**SRI.T.M.ABDUL LATHEEF**
**GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN**
**SRI.SAJEESH.K.B., ADDL.CGSC**
**SRI.S.SUDHEESHKAR, SC FOR KSPCB**
**SRI.GEORGE JOSEPH, ADDL.CGSC**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ORDER ON CMP.NOS.14208/2003 , 12473/2003 IN OP. NO.7140/2003**

**DISMISSED**

**14.06.2007** **SD/- KURIAN JOSEPH, JUDGE**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1:- COPY OF THE JUDGMENT IN OS. 540/1992 OF THE MUNIFF'S COURT, PATHANAMTHITTA.**

**EXT.P2:- COPY OF THE REPRESENTATION DT. 28.10.02 SUBMITTED BEFORE THE 2ND RESPONDENT.**

**EXT.P3:- COPY OF THE NEWS PAPER REPORT DT. 29.12.02.**

**EXT.P4:- COPY OF THE JUDGMENT IN OP. NO.17628/2001 DT. 24.8.01.**

**EXT.P5:- COPY OF THE STATEMENT DT. 16.12.02 SUBMITTED BEFORE THE 2ND RESPONDENT.**

**EXT.P6:- COPY OF THE ORDER DT. 15.1.03 BY THE 2ND RESPONDENT.**

**EXT.P7:- COPY OF THE STOP MEMO ISSUED BY ENVIRONMENTAL ENGINEER TO THE PETITIONER IN THE ABOVE CMP. VIDE NO.PCB/PTA/COMP-93/2003.**

**EXT.P8:- COPY OF THE LETTER NO.C-13861/99 DT. 14.3.03, ISSUED BY THE DISTRICT SCHEDULED CASTE OFFICER TO THE 7TH RESPONDENT.**

**EXT.P9:- COPY OF THE OBJECTION DT. 16.4.03 VIDE NO.DB-80.VOL. IV ISSUED BY HTHE ASST.EXECUTIVE ENGINEER.**

**EXT.P10:- COPY OF THE LETTER DT. 2.7.03 VIDE NO.C1-6110/03 ISSUED BY THE DISTRICT MEDICAL OFFICER (HEALTH) TO THE 2ND RESPONDENT.**

**RESPONDENTS EXHIBITS**

**EXT.R8(A):- COPY OF THE JUDGMENT PASSED BY THIS HONOURABLE COURT IN OP. NO.17628/2001 DT. 24.9.02.**

**EXT.R8(B):- COPY OF THE ORDER NO.C7-30558/2000 DT. 15.1.03 FO THE DISTRICT COLLECTOR, PATHANAMTHITTA.**

**EXT.P8(C):- COPY OF THE PERMIT NO.1/03 DT. 20.2.03 ISSUED BY THE TAHSILDAR , KOZHENCHERRY.**

**EXT.R8(D):- COPY OF THE AGREEMENT DT. 16.5.02.**

**EXT.R8(E):- COPY OF THE LICENSE KL-932/E DT. 16.4.2001 ISSUED TO P.M. GEORGE BY DEPUTY CHIEF CONTROLLER OF EXPLOSIVES , ERNAKULAM.**

**OP. NO.7140/2003**

**EXT.R8(F):- COPY OF THE FORM -P CASH MEMORANDUM NO.1 DT. 20.3.03 ISSUED BY THE TAHSILDAR , KOZHENCHERRY.**

**EXT.R8(G):- COPY OF THE REPLY SUBMITTED BY THE PETITIONER BEFORE THE ENVIRONMENTAL ENGINEER DT. 12.3.03.**

**EXT.R8(H):- COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE PATHANAMTHITTA MUNICIPALITY DT. 24.10.2000.**

**EXT.R8(I):- COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE PATHANAMTHITTA MUNICIPALITY.**

**/TRUE COPY/**

**tss**

**KURIAN JOSEPH, J.**

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**O.P.No.7140 of 2003**

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**Dated this the 14th day of June, 2007**

**JUDGMENT**

Petitioners approached this court with certain grievances regarding the conducting of quarrying operations by the 8th respondent. In view of the intervening developments in case the petitioners have still any grievance left, they may approach the 5th and 6th respondents.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.7140/2003

JUDGMENT

14th June, 2007